

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

Rev. DeROISE J. WASHINGTON,
D.D.,

Petitioner,

V.

ROBERT HOUSTON, Director,
State of Nebraska Department of
Correctional Services,

Respondent.

4:07CV3125

MEMORANDUM AND ORDER

This matter is before the court upon Respondent's motions to substitute parties (filing 13) and for an order requesting copies of Petitioner's presentence report from state district court (filing 14). I will grant both motions. I grant the motion regarding the presentence report upon the representation of Respondent that it was filed in Petitioner's state court appeals and because Petitioner raised claims regarding the contents of that report in this action.

IT IS ORDERED:

1. The motion in filing 13 is granted. The Clerk of the court shall substitute “Robert Houston, Director, State of Nebraska Department of Correctional Services” for “Warden Dennis Bakewell” as the respondent in this matter, and the caption of this case shall henceforth be as it appears in this memorandum and order;
2. The motion in filing 14 is granted. This court requests that the District 4 Probation for Douglas County prepare and forward by regular United States mail and marked “legal mail,” a copy of DeRoise J. Washington’s presentence investigation report filed in the case of State v. DeRoise J.

Washington, Douglas County District Court Docket No. 163-069, to the following:

Erin E. Leuenberger, #22924
Assistant Attorney General
2115 State Capitol
Lincoln, NE 68509-8920
(402) 471-2682; and

3. The Clerk of the Court is directed to mail a copy of this memorandum and order, as filed, to the following:

District 4 Probation for Douglas County
1701 Farnam Street
Room 164
Omaha, NE 68183

August 28, 2007

BY THE COURT:

s/Richard G. Kopf
United States District Judge